

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 758

Introduced by Assembly Member Thomson

**(~~Coauthors: Assembly Members Cardoza, Havice, House,
Longville, Reyes, Romero, Shelley, and Strom-Martin~~)**

(~~Coauthors: Senators Figueroa and Ortiz~~)

**(*Coauthors: Assembly Members Alquist, Cardoza, Havice,
Honda, House, Jackson, Longville, Reyes, Romero, Shelley,
Strom-Martin, and Washington*)**

(*Coauthors: Senators Figueroa, Hughes, Ortiz, and Solis*)

February 24, 1999

An act to amend Section 1785.17 of the Civil Code, relating to consumer credit.

LEGISLATIVE COUNSEL'S DIGEST

AB 758, as amended, Thomson. Consumer credit reports.

Existing law authorizes a consumer credit reporting agency to charge a fee not exceeding \$8 for disclosures made to a consumer, as specified, regarding the content of the file maintained by that agency concerning that consumer.

This bill would prohibit a consumer credit reporting agency from charging that fee for the first disclosure made within any 12-month period. The bill would authorize the agency to charge that fee for each subsequent disclosure made to the consumer, as specified, within a 12-month period.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1785.17 of the Civil Code is
2 amended to read:

3 1785.17. (a) Except as otherwise provided, a
4 consumer credit reporting agency may impose a
5 reasonable charge upon a consumer, as follows:

6 (1) For making a disclosure pursuant to Section
7 1785.10 or 1785.15, the consumer credit reporting agency
8 shall not charge a fee for the first disclosure made within
9 any 12-month period. For each subsequent disclosure
10 within that *12-month* period, a consumer credit reporting
11 agency may charge a fee not exceeding eight dollars (\$8).

12 (2) For furnishing a notification, statement, or
13 summary, to any person pursuant to subdivision (h) of
14 Section 1785.16, the consumer credit reporting agency
15 may charge a fee not exceeding the charge that it would
16 impose on each designated recipient for a consumer
17 credit report, and the amount of the charge shall be
18 indicated to the consumer before furnishing the
19 notification, statement, or summary.

20 (b) A consumer credit reporting agency shall make all
21 disclosures pursuant to Sections 1785.10 and 1785.15 and
22 furnish all consumer reports pursuant to Section 1785.16
23 without charge, if requested by the consumer within 60
24 days after receipt by the consumer of a notification of
25 adverse action pursuant to Section 1785.20 or of a
26 notification from a debt collection agency affiliated with
27 the consumer credit reporting agency stating that the
28 consumer's credit rating may be or has been adversely
29 affected.

30 (c) A consumer credit reporting agency shall not
31 impose any charge for (1) providing notice to a consumer
32 required under Section 1785.16 or (2) notifying a person
33 pursuant to subdivision (h) of Section 1785.16 of the
34 deletion of any information which is found to be
35 inaccurate or which can no longer be verified, if the
36 consumer designates that person to the consumer credit
37 reporting agency before the end of the 30-day period

1 beginning on that date of notice under subdivision (d) of
2 Section 1785.16.

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